

United States Bankruptcy Court for the:

Southern District of New York

Case number (if known): _____

Chapter you are filing under:

- ☐ Chapter 7
☒ Chapter 11
☐ Chapter 12
☐ Chapter 13

☐ Check if this is an
amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name Tiffany Holding LLC

2. All other names debtor used
in the last 8 years

Include any assumed names,
trade names, and *doing business*
as names

3. Debtor's federal Employer
Identification Number (EIN) 13-4254044

4. Debtor's address

Principal place of business

587 Beck St.

Number Street

Bronx NY 10455

City State ZIP Code

Bronx County

County

Mailing address, if different from principal place
of business

Number Street

P.O. Box

City State ZIP Code

Location of principal assets, if different from
principal place of business

1408 Bushwick Ave

Number Street

Brooklyn NY 11207

City State ZIP Code

5. Debtor's website (URL) _____

6. Type of debtor

- ☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))
☐ Partnership (excluding LLP)
☐ Other. Specify: _____

Debtor Tiffany Holding LLC
Name
Case number (if known)

7. Describe debtor's business

A. Check one:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
☒ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
☐ Railroad (as defined in 11 U.S.C. § 101(44))
☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
☐ None of the above

B. Check all that apply:

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.

See <http://www.naics.com/search/>.

5311

8. Under which chapter of the Bankruptcy Code is the debtor filing?

Check one:

- ☐ Chapter 7
☐ Chapter 9
☒ Chapter 11. Check all that apply:

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, and it chooses to proceed under Subchapter V of Chapter 11. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
☐ A plan is being filed with this petition.
☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11 (Official Form 201A) with this form.
☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12

9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?

☒ No

☐ Yes. District _____ When _____ Case number _____
MM / DD / YYYY
District _____ When _____ Case number _____
MM / DD / YYYY

If more than 2 cases, attach a separate list.

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?

☒ No

☐ Yes. Debtor _____ Relationship _____
District _____ When _____
MM / DD / YYYY
Case number, if known _____

List all cases. If more than 1, attach a separate list.

Debtor Tiffany Holding LLC
Name
Case number (if known)

11. Why is the case filed in *this district*?

Check all that apply:

- ☒ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

- ☒ No
- ☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.
What is the hazard? _____
- ☐ It needs to be physically secured or protected from the weather.
- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).
- ☐ Other _____

Where is the property?

Number Street

City State ZIP Code

Is the property insured?

- ☐ No
- ☐ Yes. Insurance agency _____
Contact name _____
Phone _____

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

14. Estimated number of creditors

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

15. Estimated assets

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Debtor Tiffany Holding LLC
Name

Case number (if known)

16. Estimated liabilities

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input checked="" type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Request for Relief, Declaration, and Signatures

WARNING -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

17. Declaration and signature of authorized representative of debtor

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 01/25/2024
MM / DD / YYYY

X /s/ Emmanuel Ku

Signature of authorized representative of debtor

Emmanuel Ku

Printed name

Title Managing Member

18. Signature of attorney

X /s/ Mark Frankel

Signature of attorney for debtor

Date 01/25/2024

MM / DD / YYYY

Mark Frankel

Printed name

Backenroth Frankel & Krinsky, LLP

Firm name

488 Madison Avenue FL 23

Number Street

NEW YORK

City

NY

State

10022-7658

ZIP Code

212-593-1100

Contact phone

mfrankel@bfklaw.com

Email address

3010238

Bar number

NY

State

Fill in this information to identify the case:

Debtor name Tiffany Holding LLC
United States Bankruptcy Court for the: Southern District of New York
(State)
Case number (if known): _____

☐ Check if this is an amended filing

Official Form 206Sum
Summary of Assets and Liabilities for Non-Individuals

12/15

Part 1: Summary of Assets

1. **Schedule A/B: Assets—Real and Personal Property** (Official Form 206A/B)

1a. Real property: Copy line 88 from <i>Schedule A/B</i>	\$ <u>1,550,000.00</u>
1b. Total personal property: Copy line 91A from <i>Schedule A/B</i>	\$ <u>12,013.93</u>
1c. Total of all property: Copy line 92 from <i>Schedule A/B</i>	\$ <u>1,562,013.93</u>

Part 2: Summary of Liabilities

2. Schedule D: Creditors Who Have Claims Secured by Property (Official Form 206D) Copy the total dollar amount listed in Column A, <i>Amount of claim</i> , from line 3 of <i>Schedule D</i>	\$ <u>1,286,760.29</u>
3. Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 206E/F)	
3a. Total claim amounts of priority unsecured claims: Copy the total claims from Part 1 from line 6a of <i>Schedule E/F</i>	\$ <u>0.00</u>
3b. Total amount of claims of nonpriority amount of unsecured claims: Copy the total of the amount of claims from Part 2 from line 6b of <i>Schedule E/F</i>	+\$ <u>11,680.52</u>
4. Total liabilities Lines 2 + 3a + 3b	\$ <u>1,298,440.81</u>

United States Bankruptcy Court

Southern District of New York

In re Tiffany Holding LLC

Case No. _____

Debtor

Chapter ¹¹ _____

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

☐ FLAT FEE

For legal services, I have agreed to accept \$ _____

Prior to the filing of this statement I have received. \$ _____

Balance Due. \$ _____

☒ RETAINER

For legal services, I have agreed to accept a retainer of \$ ^{13,262.00} _____

The undersigned shall bill against the retainer at an hourly rate of \$ ^{695.00} _____

[Or attach firm hourly rate schedule.] Debtor(s) have agreed to pay all Court approved fees and expenses exceeding the amount of the retainer.

2. The source of the compensation paid to me was:

☒ Debtor ☐ Other (specify)

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify)

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a other person or persons who are not members or associates of my law firm. A copy of the Agreement, together with a list of the names of the people sharing the compensation is attached.

5. In return of the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;
- Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;

d. [Other provisions as needed]

providing the Debtor with legal counsel regarding its powers and duties as a debtor-in possession in the continued operation of its business and management of its property during the Chapter 11 case; preparing on behalf of the Debtor all necessary applications, answers, orders, reports, and other legal documents which may be required with the Chapter 11 case; providing the Debtor with legal services regarding formulating and negotiating a plan of reorganization with creditors; and performing such other legal services for the Debtor as required during the Chapter 11 case, including but not limited to, the institution of actions against third parties, objections to claims, and the defense of actions which may be brought by third parties against the Debtor.

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

Fee amount is paid as a retainer and does not cover fees incurred after the retainer is exhausted.

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

01/25/2024

/s/ Mark Frankel, 3010238

Date

Signature of Attorney

Backenroth Frankel & Krinsky, LLP

Name of law firm
488 Madison Avenue
FL 23
NEW YORK, NY 10022-7658

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

In re

Chapter 11

Tiffany Holding LLC,

Case No. 24-_____

Debtor.

-----X

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, Emmanuel Ku, Managing Member of Tiffany Holding LLC (the “Debtor”) states under penalty of perjury, that the following is a true and correct copy of the resolutions adopted by the sole member of the Debtor at a special meeting duly called and held on January 25, 2024:

"Whereas, it is in the best interest of the Debtor to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Emmanuel Ku, Managing Member of the Debtor, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the Debtor; and

Be It Further Resolved, that Emmanuel Ku, Managing Member is authorized and directed to appear in all bankruptcy proceedings, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents in connection with such bankruptcy case, and

Be It Further Resolved, that Emmanuel Ku, Managing Member is authorized and directed to employ the law firm of Backenroth Frankel & Krinsky, LLP in such bankruptcy case."

Dated: New York, New York
January 25, 2024

s/Emmanuel Ku, Managing Member

RESOLUTION

Whereas, it is in the best interest of Tiffany Holding LLC (the “Debtor”) to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that Emmanuel Ku, Managing Member, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case; and

Be It Further Resolved, that Emmanuel Ku, Managing Member, is authorized and directed to appear in all bankruptcy proceedings, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents in connection with such bankruptcy case, and

Be It Further Resolved, that Emmanuel Ku, Managing Member, is authorized and directed to employ the law firm of Backenroth Frankel & Krinsky, LLP in such bankruptcy case.

United States Bankruptcy Court

IN RE:

Case No. _____

Tiffany Holding LLC

Chapter 11

LIST OF EQUITY SECURITY HOLDERS

Registered name and last known address of security holder	Shares (Or Percentage)	Security Class (or kind of interest)
Emmanuel Ku 3532 159th St, Flushing, NY 11358	1	Managing member
Guangxi Holding LLC 2 Union St, Norwich, CT 06360	99	Other (Member)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF New York - Southern

In re Tiffany Holding LLC

Case No. _____
Chapter 11

(Debtor(s))

CORPORATE OWNERSHIP STATEMENT (RULE 7007.1)

Pursuant to Federal Rule of Bankruptcy Procedure 7007.1 and to enable the Judges to evaluate possible disqualification or recusal, the undersigned counsel for Tiffany Holding LLC in the above captioned action, certifies that the following is a (are) corporation(s), other than the debtor or a governmental unit, that directly or indirectly own(s) 10% or more of any class of the corporation(s') equity interests, or states that there are no entities to report under FRBP 7007:

☐ None [check if applicable]

Guangxi Holding LLC

1/25/2024
Date

/s/ Mark Frankel
Statement of attorney or Litigant

United States Bankruptcy Court
Southern District of New York

In re: Tiffany Holding LLC

Case No.

Chapter 11

Debtor(s)

Verification of Creditor Matrix

The above-named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of their knowledge.

Date: 01/25/2024

/s/ Emmanuel Ku

Signature of Individual signing on behalf of debtor

Managing Member

Position or relationship to debtor

Beck Street Management LLC
587 Beck St
Bronx, NY 10455

James Marshall
1408 Bushwick Ave
3F
Brooklyn, NY 11207

City of New York
c/o New York City Law Dept
100 Church St
New York, NY 10007

Jaymie Hommel
1408 Bushwick Ave
1D
Brooklyn, NY 11207

Con Edison
4 Irving Place
RM 1875
New York, NY 10003

Jessan Drake
1408 Bushwick Ave
4R
Brooklyn, NY 11207

DOF NPL III LLC

Jessica Engram
1408 Bushwick Ave
1R
Brooklyn, NY 11207

DOF NPL III LLC, c/o Harry Zubli
1010 Northern Blvd
Suite 306
Great Neck, NY 11021

New York State Dept Finance
Bankruptcy Unit
POB 5300
Albany, NY 12205

Emmanuel Ku
3532 159th St
Flushing
NY 11358

NYC Department of Finance
66 John St
2nd floor
New York, NY 10038

Emmanuel Ku - Limited Guarantor

Empire Lock NY LLC
648 Grand St
Brooklyn, NY 11211

NYC Dept Bldgs
280 Broadway
New York, NY 10007

Guangxi Holding LLC
2 Union St
Norwich
CT 06360

NYC Dept Env. Prot.
59-17 Junction Blvd Fl 13
Elmhurst, NY 11373

Habakkuk Capital Group
587 Beck St
Room 2
Bronx, NY 10455

NYC Dept. Finance
375 Pearl Street 30th Fl
Attn: Legal Affairs
Brooklyn, NY 11201

Internal Revenue Service
POB 7346
Philadelphia, PA 19101

NYC Housing Pres. Dev.
100 Gold St
New York, NY 10038

Jack Jaffa & Associates
147 Prince St
Brooklyn, NY 11201

NYC Water Board
59-17 Junction Blvd
Flushing, NY 11373

NYC Water Board
POB 11863
Newark, NJ 07101

NYS Attorney General
28 Liberty St.
New York, NY 10005

Office of United States Trustee
One Bowling Green
New York, NY 10007

RT Development LLC
15 Ambrosia Ct
Livingston, NJ 07039

Song of Songs Construction Inc
31 Winthrop Drive
Woodbury, NY 11797

Starkeema L. Dantzler
1408 Bushwick Ave
4F
Brooklyn, NY 11207

Startesha Alston
1408 Bushwick Ave
LL
Brooklyn, NY 11207

Tommy Davis
1408 Bushwick Ave
3R
Brooklyn, NY 11207

United States Attorney
1 Saint Andrews Plaza
New York, NY 10007

United States SEC
Attn: Bankruptcy
200 Vesey St. Suite 400